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Federal Agencies

March 7, 2006

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1645

Re: U.S. Utility Patent Application
Application No. 10/525,726
(U.S. Nat'l Phase of PCT/EP03/09437; I.A. Filing Date: August 26, 2003)
For: **Diagnostic and Therapeutic Use of FOAP-13 Polynucleotides and
Polypeptides for Neurodegenerative Diseases**
Inventors: VON DER KAMMER *et al.*
Our Ref: 2335.0060001/SRL/KPQ

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Request to Correct 35 U.S.C. § 371 Date;
2. Marked-up copy of Acceptance of Application Under 35 U.S.C. § 371 and 37 CFR §1.495 indicating corrections in red;
3. Request for Corrected Official Filing Receipt;
4. Marked-up copy of Filing Receipt indicating corrections in red;
5. File Copy of Filing Receipt date-stamped February 28, 2005; and
6. File Copy of Filing Receipt date-stamped October 24, 2005.

Commissioner for Patents
March 7, 2006
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Katrina Y. Pei Quach
Agent for Applicants
Registration No. 51,063

KPQ/mhd
Enclosures

503006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

VON DER KAMMER *et al.*

Application No.: 10/525,726 (U.S.
National Phase of PCT/EP03/09437)

International Filing Date: August 26, 2003

**For: Diagnostic and Therapeutic Use of
FOAP-13 Polynucleotides and
Polypeptides for Neurodegenerative
Diseases**

Confirmation No.: 3700

Art Unit: 1645

Examiner: To be assigned

Atty. Docket: 2335.0060001/SRL/KPQ

Request to Correct 35 U.S.C. § 371 Date

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Mail Stop: PCT

Sir:

Further to Applicant's telephone conference of March 1, 2006 with Ms. Charitta A. Burt of the PCT Operations - National Stage Division of the United States Patent and Trademark Office (USPTO), Applicants hereby submit a request for a correction of the 35 U.S.C. § 371 date and for a corrected Notice of Acceptance Under 35 U.S.C. § 371 and 37 CFR § 1.495.

Applicants have noticed that the USPTO has entered an incorrect 35 U.S.C. § 371 date in its records. Specifically, the USPTO has entered November 25, 2005. However, the correct 35 U.S.C. § 371 date is October 24, 2005. The USPTO has also entered the incorrect date of November 25, 2005 as the date the Oath or Declaration and the Biochemical Sequence Listing was filed. The correct date for the filing of the Declaration is October 24, 2005. The Biochemical Sequence Listing was originally filed on February 28, 2005 and a second copy of that same Sequence Listing was submitted on October 24, 2005 at Ms. Burt's request. Please see the enclosed copy of the return postcards, date-stamped by the USPTO as having received, on February 28, 2005 and October 24, 2005, the documents listed thereon.

In support of the above request, a photocopy of the instant Notice of Acceptance is enclosed with the corrections noted in red. It is requested that a corrected Notice of Acceptance be issued, and sent to the undersigned at the earliest possible time.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read 'Katrina Y. Pei Quach', written in a cursive style.

Katrina Y. Pei Quach
Agent for Applicants
Registration No. 51,063

Date: March 7, 2006

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/525,726	Heinz Von Der Kammer	2335.0060001/SRL/KPQ

INTERNATIONAL APPLICATION NO.

PCT/EP03/09437

I.A. FILING DATE

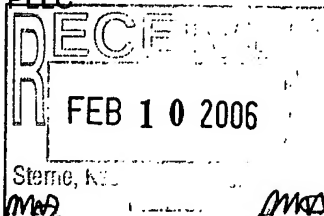
PRIORITY DATE

08/26/2003

08/28/2002

26111

STERNE, KESSLER, GOLDSTEIN & FOX PLLC
 1100 NEW YORK AVENUE, N.W.
 WASHINGTON, DC 20005



CONFIRMATION NO. 3700

371 ACCEPTANCE LETTER



OC000000017991790*

Date Mailed: 02/07/2006

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

~~11/25/2005~~ 10/24/2005
 DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and
 (c)(4) REQUIREMENTS

~~11/25/2005~~ 10/24/2005
 DATE OF COMPLETION OF ALL 35 U.S.C. 371
 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 02/28/2005
- Copy of the International Search Report filed on 02/28/2005
- Copy of IPE Report filed on 02/28/2005
- Preliminary Amendments filed on 02/28/2005
- Information Disclosure Statements filed on 09/30/2005
- Biochemical Sequence Diskette filed on 02/28/2005
- Oath or Declaration filed on 11/25/2005 10/24/2005
- Biochemical Sequence Listing filed on 11/25/2005 10/24/2005
- Request for Immediate Examination filed on 02/28/2005
- U.S. Basic National Fees filed on 02/28/2005
- Priority Documents filed on 02/28/2005

- Power of Attorney filed on 11/25/2005

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

VON DER KAMMER *et al.*

Appl. No.: 10/525,726 (U.S. National
Phase of PCT/EP03/09437)

International Filing Date: August 26, 2003

For: **Diagnostic and Therapeutic Use of
FOAP-13 Polynucleotides and
Polypeptides for Neurodegenerative
Diseases**

Confirmation No.: 3700

Art Unit: 1645

Examiner: To be assigned

Atty. Docket: 2335.0060001/SRL/KPQ

Request for Corrected Official Filing Receipt

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Mail Stop PCT

Sir:

Applicants hereby request that a corrected Official Filing Receipt be issued and sent to the undersigned representative. Specifically, the following corrections to the Official Filing Receipt are requested:

**In Domestic Priority data claimed by applicant, please insert: --60/406,303, filed
August 28, 2002;-- and**

**In Filing or 371(c) Date, please delete "11/25/2005"
and insert therefor --10/24/2005--**

In support of the above request, a marked-up copy of the Official Filing Receipt is enclosed to show the corrections. It is requested that a corrected Official Filing Receipt be issued, and sent to the undersigned at the earliest possible time.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Katrina Y. Pei Quach
Agent for Applicants
Registration No. 51,063

Date: March 7, 2006

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/525,726	11/25/2005 10/24/2005	1645	2230	2335.0060001/SRL/KPQ	11	19	9

CONFIRMATION NO. 3700

26111
STERNE, KESSLER, GOLDSTEIN & FOX PLLC
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

FILING RECEIPT



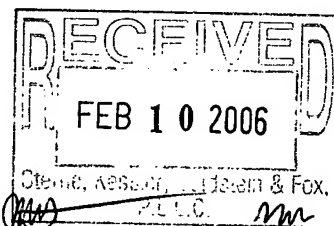
OC000000017991789

Date Mailed: 02/07/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Heinz Von Der Kammer, Hamburg, GERMANY;
Johannes Pohlner, Hamburg, GERMANY;



Power of Attorney: The patent practitioners associated with Customer Number 26111.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP03/09437 08/26/2003
60/406,303 08/28/2002

SRL
KPO

KPO 2/13

Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 02019281.1 08/28/2002

DOCKETED

Projected Publication Date: 05/18/2006

Non-Publication Request: No

Early Publication Request: No

Title

Diagnostic and therapeutic use of foap-13 polynucleotides and polypeptides for neurodegenerative diseases

Petition to Expedite Foreign Filing License due April 25, 2006
STAT BAR due May 25, 2006

Preliminary Class

435

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Applicants: VON DER KAMMER *et al.*

Due Date: February 28, 2005

Art Unit: *To be assigned*

Confirmation No.: *To be assigned*

Examiner: *To be assigned*

Application No.: *To be assigned* (U.S. Nat'l Phase of PCT/EP03/09437)

Filed: Herewith (I.A. Filing Date: August 26, 2003)

Docket: 2335.0060001

For: **Diagnostic and Therapeutic Use of FOAP-13
Polynucleotides and Polypeptides for
Neurodegenerative Diseases**

Atty: SRL/KPQ

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. § 371;
2. Authorization to Treat a Reply as Incorporating an Extension of Time Under 37 C.F.R. § 1.136(a)(3);
3. Application Data Sheet;
4. Copy of published International Appl. No. PCT/EP03/09437, including 29 pages of description prior to the claims; 5 pages of claims (13 claims); 11 pages of drawings (Figures 1-11); and 7 pages of a paper copy of a sequence listing;
5. Computer readable copy of sequence listing;
6. Preliminary Amendment;
7. International Search Report;
8. Copy of first Written Opinion of the International Preliminary Examination Authority dated August 25, 2004;
9. Copy of Reply to first Written Opinion of the International Preliminary Examination Authority dated October 14, 2004, with amended claims;
10. Copy of International Preliminary Examination Report dated December 20, 2004;
11. Two (2) return postcards; and
12. Credit Card Payment Form PTO-2038 in the amount of \$1,000.00 to cover:
\$300.00 Basic national fee;
\$200.00 Examination fee; and
\$500.00 Search fee.



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